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6 **UNITED STATES DISTRICT COURT**
7 **WESTERN DISTRICT OF WASHINGTON**
8 **AT SEATTLE**

9 UNITED STATES OF AMERICA,

NO. MJ12-392

10 Plaintiff,

11 v.

DETENTION ORDER

12 JUAN VELASCO SAN JUAN,

13 Defendant.

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15 Offenses charged:

16 Count 1: Conspiracy to Distribute Heroin and Methamphetamine, in violation
of 21 U.S.C. §§ 841(a)(1) and 841(b)(1)(B) and 846

17 Counts 2 & 4 Distribution of Heroin, in violation of 21 U.S.C. §§ 841(a)(1) and
18 841(b)(1)(C)

19 Count 3: Distribution of Methamphetamine, in violation of 21 U.S.C. §§
20 841(a)(1) and 841(b)(1)(C)

21 Count 6: Possession of Methamphetamine with Intent to Distribute, in
violation of 21 U.S.C. §§ 841(a)(1) and 841(b)(1)(B)

22 Counts 7, 8 & 9: Illegal Alien in Possession of Firearm, in violation of 18 U.S.C. §
23 922(g)(5)(A)

24 Date of Detention Hearing: July 20, 2012

25 The Court, having conducted a detention hearing pursuant to 18 U.S.C. § 3142(f), and
26 based upon the factual findings and statement of reasons for detention hereafter set forth, finds:

DETENTION ORDER
18 U.S.C. § 3142(i)
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FINDINGS OF FACT AND STATEMENT OF REASONS FOR DETENTION

1. Pursuant to 18 U.S.C. § 3142(e), there is a rebuttable presumption that defendant is a flight risk and a danger to the community based on the nature of the pending charges. Application of the presumption is appropriate in this case.
2. An immigration detainer has been placed on defendant by the United States Immigration and Customs Enforcement.
3. Defendant has stipulated to detention, but reserves the right to contest his continued detention if there is a change in circumstances.
4. There are no conditions or combination of conditions other than detention that will reasonably assure the appearance of defendant as required or ensure the safety of the community.

IT IS THEREFORE ORDERED:

- (1) Defendant shall be detained and shall be committed to the custody of the Attorney General for confinement in a correction facility separate, to the extent practicable, from persons awaiting or serving sentences or being held in custody pending appeal;
- (2) Defendant shall be afforded reasonable opportunity for private consultation with counsel;
- (3) On order of a court of the United States or on request of an attorney for the government, the person in charge of the corrections facility in which defendant is confined shall deliver the defendant to a United States Marshal for the purpose of an appearance in connection with a court proceeding; and

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1 (4) The Clerk shall direct copies of this Order to counsel for the United States, to
2 counsel for the defendant, to the United States Marshal, and to the United States
3 Pretrial Services Officer.

4 DATED this 20th day of July, 2012.

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7 JAMES P. DONOHUE
8 United States Magistrate Judge
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